

**INDIANA ECONOMIC
DEVELOPMENT CORPORATION**

June 19, 2006

Preston Black
Director
Office of Legal Affairs
Indiana State Department of Health

Dear Mr. Black:

Pursuant to IC 4-22-2-28, the Indiana Economic Development Corporation ("IEDC") has reviewed the economic impact analysis associated with the proposed Food Handler Certification Rule affecting 410 IAC 7-22 proposed by the Indiana State Department of Health (ISDH). The purpose of the proposed rule is to make 410 IAC 7-22 consistent with statutory changes by incorporating additional exemptions established when IC 16-42-5.2-2 and IC 16-42-5.2-3 were amended and when IC 16-42-5.2-3.5 was added.

Current rules require that affected entities employ at least one certified food handler and that the establishment's food handler certificate be posted in an observable place. The cost to obtain a certified food handler certificate is approximately \$125 per individual, and certificates are valid for a period of five (5) years. The last time affected entities were inventoried was 1994, at which time there were approximately 27,000 affected entities. Accounting for population increases and changes in dining habits, ISDH estimates that there are approximately 30,000 entities affected today and that small businesses could represent a significant number of that total. The proposed rule confirms the existing rules to statutory changes by listing the types of entities that are exempt from the food handler certificate requirement. ISDH has subsequently indicated that those facilities are covered by other guidelines intended to ensure food safety at those establishment. The facilities that are exempted from the food handler certificate requirement are:

- 1) community mental health centers,
- 2) private mental health institutions,
- 3) area agencies on aging,
- 4) food pantries, and
- 5) organizations exempt from the state gross retail tax.

The ISDH estimates that these exemptions cover approximately 919 entities and that total annual savings to these entities equals approximately \$22,975 [\$125/certificate / 5 year term X 919 entities]. A portion of these affected entities would likely be comprised of small businesses. Thus, these rule changes will result in cost savings for small businesses. The rule changes do not impose any additional record keeping requirements.

The IEDC does not object to the fiscal impact associated with the proposed rule. If you have any questions about the comments contained herein please contact me at 232-8962 or rasberry@iedc.in.gov.

Regards,



Ryan Asberry
Director - Research
Indiana Economic Development Corporation

